

"Approved by the City Council/Redevelopment Agency Board on January 24, 2007."

CITY COUNCIL/REDEVELOPMENT AGENCY WESTMINSTER, CALIFORNIA
MINUTES OF AN ADJOURNED REGULAR MEETING January 8, 2007

The City Council/Agency Board of the City of Westminster, California convened on January 8, 2007 at 7:05 p.m. in an Adjourned Regular Meeting in the Council Chamber, 8200 Westminster Boulevard, Westminster, California.

7:00 P.M.

ROLL CALL:

PRESENT: RICE, MARSH, FRY, QUACH, TA
ABSENT: NONE

SALUTE TO FLAG: Mayor Pro Tem Marsh

INVOCATION: Council Member Fry

SPECIAL PRESENTATION:

- A. Interim City Manager/Police Chief Andy Hall conducted the Department Promotional Ceremony for Timothy Vu upon his promotion to Sergeant.

1. CONSENT CALENDAR

ROUTINE MATTERS

- 1.1 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.

ACTION: Approved.

- 1.2 **Revised Classification Specification – Records Supervisor (110-04)**

ACTION: The Mayor and City Council approved the amended classification specification for Records Supervisor.

- 1.3 **Agreement between the City and Calvada Development, Inc. for Concrete Work at Hazard Avenue and Beach Blvd (502-03)**

ACTION: The Mayor and City Council approved the subject agreement and authorized the Interim City Manager to execute the agreement on behalf of the City.

- 1.4 **Notice of Completion for work performed by Western Exterminator Company for Fumigation of City Hall, City Council Chambers, and the Clock Tower (502-23)**

ACTION: The Mayor and City Council accepted the subject project and authorized the City Clerk to file a Notice of Completion with the County Recorder's Office.

1.5 Purchase of Forensic Services Unit Crime Scene Response Vehicle Body (502-19)

ACTION: The Mayor and City Council authorized a purchase order be issued to Stahl Manufacturing Company, as the lowest competitive bidder for the Forensic Services Crime Scene Response Vehicle Body, in an amount not to exceed \$17,424.07.

ORDINANCES (SECOND READING/RESOLUTIONS)

1.6 Resolution No. 4058 - Providing for a Compensation Plan for Part-Time employees of the City of Westminster (110-02)

ACTION: The Mayor and City Council adopted Resolution No. 4058 entitled "A Resolution of the Mayor and City Council of the City of Westminster providing for a compensation plan for part-time employees of the City of Westminster", and waived further reading.

WARRANT REGISTER

1.7 (City Council/Redevelopment Agency) Warrant Register dated December 13, 2006 through January 2, 2007 (105-09)

ACTION: Approved.

INFORMATION AND REPORTS

1.8 Minutes of the Planning Commission meeting held December 4, 2006 (104-11)

ACTION: Received and filed.

Motion was made by Council/Agency Member Fry, and seconded by Council/Agency Member Quach to approve the Consent Calendar. The motion carried by a 5-0 vote.

END OF CONSENT CALENDAR

2. ORAL COMMUNICATIONS

Vivian Kirkpatrick-Pilger commented on the upcoming Orange County Supervisor's election.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW - None

4. PUBLIC HEARINGS

4.1 APPEAL OF PLANNING COMMISSION ACTION OF OCTOBER 18, 2006, APPROVING CASE NO. 2006-24 (VARIANCE, CONDITIONAL USE PERMIT, SITE PLAN, DESIGN REVIEW); LOCATION: 13982 BOLSA CHICA ROAD. APPLICANT: MR. DAN POPA OF RHL DESIGN GROUP; APPELLANTS: DENNIS C. TURNER, RANDALL RESSELL, DON AND CAROL SALOW (CONTINUED FROM THE NOVEMBER 29, 2006 AND DECEMBER 20, 2006 MEETINGS) (201-00) (CN 2006-24)

Council Member Ta stated that he viewed the video of the public hearing of November 29, 2006, so that he would be prepared to make a decision on the proposed project.

Mayor Pro Tem Marsh expressed traffic concerns for the residents that live on Northwestern Way. He recommended that if the project is approved, that there be a condition that ingress off Bolsa Chica Road be blocked, with egress only off Northwestern Way, subject to acceptance from Orange County Fire Authority.

Mayor Rice stated she would not support the establishment being open 24 hours.

Council Member Quach stated that 7-Eleven's should be open for 24 hours. He noted that 7-Eleven has operated in our community for a very long time and contributes back to the community. He recommended a formal review of the operations of the 7-Eleven within a few months of its opening to determine if there are problems with the 24-hour operation or other issues.

Council Member Marsh asked the Police Chief if data indicates that a neighborhood 24-hour 7-Eleven operation is more or less problematic than a liquor store closing at 10 p.m. The Interim City Manager/Police Chief stated there is no evidence to support one over the other.

The City Attorney stated that the four conditions that have been raised for consideration are the location of the ten foot wall, the closure of Northwestern Way, the hours of operation, and a formal review of the Conditional Use Permit within 90 days or six months.

Motion was made by Council Member Quach, and seconded by Council Member Fry, to approve Case No. 2006-24 subject to the ten-foot wall to the northern most property line to accommodate the adjacent neighbors, and the 24-hour operation to be reviewed formally by the Council six months from the day of opening or earlier, should the Police Department deems it necessary.

Council Member Ta thanked the residents for their letters and e-mails to the Mayor and Council Members, and for attending the meeting. He thanked 7-

Eleven for being willing to modify the plan to mitigate the concerns of the neighborhood.

Mayor Pro Tem Marsh requested a condition be added to the motion to prohibit automobile servicing and repair on the site.

The City Attorney stated the condition is consistent with the business plan that 7-Eleven has submitted.

Council Member Quach stated that is agreeable to the condition, as the maker of the motion. Council Member Fry agreed to the condition as second to the motion.

The motion carried by the following roll call vote:

AYES: COUNCIL MEMBERS: MARSH, FRY, QUACH, TA
NOES: COUNCIL MEMBERS: RICE
ABSENT: COUNCIL MEMBERS: NONE

Council Member Quach directed staff to send notices in six months to the residents residing within the required legal radius of the project.

Mayor Pro Tem Marsh directed staff to determine whether the residents would or would not like to block ingress off of Bolsa Chica Road on to Northwestern Way, and to explore the possibility of obtaining approval from the Orange County Fire Authority.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

Council Member Quach wished a Happy New Year to the television audience and encouraged them to participate in the public hearing process.

Council Member Fry expressed his concerns regarding a fluoridation report given by the Metropolitan Water District. He recommended home schools in Westminster participate in a water education program at Irvine.

Council Member Ta wished everyone a Happy New Year and an enjoyable Martin Luther King holiday weekend.

Mayor Pro Tem Marsh expressed thanks to the Public Works Director/City Engineer for the Westminster streets being in such good condition.

Mayor Rice stated that the Westminster Christmas programs had been wonderful for the seniors and children. She was looking forward to the Sacramento trip with

the City Council. She stated the City will be celebrating its 50th anniversary and that more information will be coming.

5.2 AB 1234 Reports – None

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 (Redevelopment Agency) Selection of a Study Session Date on Legislative Impacts to Redevelopment Funding (103-08)

Motion was made by Council/Agency Member Quach, seconded by Council/Agency Member Ta, to select 6:00 p.m., February 13, 2007, for a Study Session on Legislative Impacts to Redevelopment Funding. The motion carried by a 5-0 vote.

7. WRITTEN COMMUNICATIONS – None

7.1 Request from Nicholson Pipes & Drums for approval to display the “1996 All America City” logo on their bass drum. (116-01)

Motion was made by Council Member Fry, seconded by Council Member Quach, to approve the display of the “1996 All America City” logo on the bass drum of Nicholson Pipes & Drums. The motion carried by a 5-0 vote.

8. LEGISLATIVE ITEMS - None

9. COMMISSION AND COMMITTEE ITEMS

9.1 Appointments to Commissions and Committees (104-00)

ACTION: That the Mayor and City Council consider appointments for a two-year term ending November, 2008.

Motion was made by Council Member Quach, seconded by Mayor Pro Tem Marsh, and carried unanimously to make the following appointments:

Advisory Committee for the Disabled

Al Krippner
Vivian Kirkpatrick-Pilger
Ethan Nguyen

By consensus of the Mayor and City Council the Area Variance Committee appointments were deferred to the January 24, 2007 meeting.

Motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Quach, and carried unanimously to make the following appointments:

Commission on Aging

Mayor Rice	Leonor Barajas
Mayor Pro Tem Marsh	Betty Poole
Council Member Fry	Vincent Petronzio
Council Member Quach	Jerry Mead
Council Member Ta	Vince Agor
Council Appointee	Owen Eames
Council Appointee	Sherry Swan

Motion was made by Council Member Quach, and seconded by Council Member Fry, and carried unanimously to make the following appointments:

Community Advisory Group

Mayor Rice	Matthew Tracy
	Judy Ahrens
Mayor Pro Tem Marsh	Owen Eames
	Vivian Kirkpatrick-Pilger
Council Member Fry	Eva Corbett
	Ha Mach
Council Member Quach	Kelly Cao
	Theresa Kasprzyk
Council Member Ta	Linh Nguyen
	Crystal Wadsworth

Motion was made by Mayor Pro Tem Marsh, seconded by Council Member Quach, and carried unanimously to make the following appointments:

Community Services and Recreation Commission

Mayor Rice	Vivian Kirkpatrick-Pilger
Mayor Pro Tem Marsh	Robert Meade
Council Member Fry	Leo Lopez
Council Member Quach	Jerry Meade
Council Member Ta	Nhi Van Ho

Motion was made by Council Member Quach, seconded by Mayor Pro Tem Marsh, and carried unanimously to make the following appointments:

Cultural Arts Commission

Mayor Rice	Regular: Reginald Crozier Alternate: Philip Hodgetts
Mayor Pro Tem Marsh	Deferred
Council Member Fry	Deferred
Council Member Quach	Regular: Tina Vo Alternate: Kelly Cao
Council Member Ta	Regular: Lupe Fisher Alternate: Phu Do Nguyen

The following appointments were made by consensus of the City Council:

Financial Review Committee

Mayor Rice	Edelgard Crozier Deferred
Mayor Pro Tem Marsh	Tim O'Reilly Stephen Nevarez
Council Member Fry	Mike Turro Deferred
Council Member Quach	Deferred Deferred
Council Member Ta	Hoa Truong B. J. Savage

The following appointments were made by consensus of the City Council:

Mobile Home Commission

Mobile Home Park Owner	Jack Hale Guy Perry
At-large Member:	Phil Hodgetts

Motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Fry, and carried unanimously to make the following appointments:

Personnel Board

Public Education Category	John Stupar
Religious Community Category	Richard Sturges
At-large Category	John McShane
1 st Alternate	Joan Hansen
2 nd Alternate	Kelly Cao

By consensus of the Mayor and City Council the Planning Commission appointments were deferred until the January 24, 2007 meeting.

Motion was made by Mayor Rice, seconded by Mayor Pro Tem Marsh, and carried unanimously to make the following appointment:

Potentially Dangerous/Vicious Dog Review Board

At-large	Lynne Liebelt
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The following appointments were made by consensus of the City Council:

Traffic Commission

Mayor Rice	Reginald Crozier
Mayor Pro Tem Marsh	Matthew Tracy
Council Member Fry	Andrew Tran
Council Member Quach	Truong Diep
Council Member Ta	Leo Lopez

9.2 Ad Hoc Committees (104-00)

Motion was made by Mayor Rice, seconded by Council Member Marsh, and carried unanimously to make the following appointments:

Ad Hoc Residential Standards Committee

Apartment Owner	Philip Anthony
Mobile Home Park Owner	Guy Perry
Apartment Tenant	Bonnie Cooper
Mobile Home Renter	Anne Stewart
Homeowner	Roger Fierce
Homeowner	Vivian Kirkpatrick-Pilger
Homeowner	Leo Lopez
Homeowner	Stephen Nevarez
Homeowner	Sergio Contreras

The following appointments were made by consensus of the City Council:

Water Rate Structure Committee

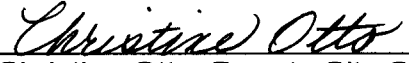
Mayor Pro Tem Marsh	Vivian Kirkpatrick-Pilger
Council Member Quach	Chad Morgan
Mayor Rice	Leo Lopez
Council Member Fry	Chuck Smith
Council Member Ta	Deferred

Motion was made by Mayor Rice, seconded by Council Member Quach, and carried unanimously to make the following appointments:

Mayor's Ad Hoc Zoning Code Update Committee

Bob Bertels
Vivian Kirkpatrick-Pilger
Chuck Ponti
Crystal Wadsworth
Tony Lam
Phil Anthony
Mike Turro
Stephen Nevarez
Henry Khuu

10. **COUNCIL/AGENCY ADJOURNMENT:** At 8:17 p.m., Mayor/Agency Chair Rice adjourned the meeting.



Christine Otto, Deputy City Clerk/
Acting Agency Secretary